

APPROVED

TOWN OF WESTFORD
BOARD OF SELECTMEN
MINUTES

DATE: February 24, 2004

TIME: 7:30 P.M.

PLACE: J.V. Fletcher Library

PRESENT: Christopher Romeo, Robert Jefferies, Dini Healy-Coffin,
Allan Loiselle, James Silva

OTHERS

PRESENT: Norman Khumalo-Assistant Town Manager,
Audience Members

ABSENT: Steve Ledoux-Town Manager

Open Forum

Silva announced that the Cable Advisory Committee will be holding a public hearing on Thursday, February 26, 2004, at 7:00 p.m., J.V. Fletcher Library, to discuss the renewal license with Comcast.

Selectmen to Meet with Community Preservation Committee to Discuss Multi Year Approach to CPA Funding Allocation

Ingrid Nilsson, Chairman of the Community Preservation Committee (CPC), and committee members were present to discuss with the Board a multi-year approach to CPA funding allocations. Nilsson announced that on April 13, 2004, the CPC will hold a public hearing on community needs for Westford. Community Preservation applications are due by May 14th. The CPC will make recommendations by the end of June. Applications are available on the J.V. Fletcher Library, Town Hall, Roudenbush and the CPC website. Nilsson reported that Governor Romney's budget did not touch Community Preservation funds. Nilsson distributed examples of how the CPA funds can be used.

Bob Shaffer, CPC member, asked for the Board's participation in the public hearing in April. Evan Schapiro, CPC member, stated that there have been many large projects discussed which need to be prioritized.

Jefferies suggested combining historic and housing and/or historic and landscape purchases. Jefferies noted that the Town needs to look at the ecology of the Town and conserve that ecology, not necessarily conserve that which is part of the "manmade" ecology, i.e., the turtle habitat. Jefferies felt that the Conservation Commission could help to identify critical ecology issues.

Loiselle suggested using CPA funds for the Regional Recreational Trail System for connections to key locations throughout Westford. Loiselle suggested that the Town be more proactive in acquiring land. Loiselle stated that he would also like to see more facilities for recreation.

Healy-Coffin felt that the recreation needs of the entire community should be discussed. Healy-Coffin urged the CPC to educate residents that Community Preservation is not just preserving open space. Healy-Coffin suggested that the CPC talk to Pat Savage, Director of Parks and Recreation, for ideas.

Romeo wanted to see more housing and affordable housing. Romeo reported that he had challenged the Historic Commission to look at the Town Farm Road building which has recently been vacated by the School Department. Romeo stated that he would like to see coordination between the Historic Commission, School Department and Affordable Housing Committee regarding the potential use and funding for Town Farm Road.

Nilsson asked the Board to think about prioritization and a possible discussion at Annual Town Meeting. The Community Preservation Committee will return to the Board at a future date for further discussion.

Update on Road Discontinuance Request Review on 304 Groton Road

Romeo recused himself as he is a business associate of John H. Pearson, Jr., Trustee of Stone Pony Realty Trust. This discussion was continued from the meeting of February 10, 2004. Daniel Mansur, representing Stone Pony Realty Trust, was present.

Khumalo reported that the Town Planner circulated the request to discontinue a portion of Tyngsborough Road to the pertinent Town departments. Khumalo summarized the responses from the Town Engineer, Board of Health, Highway Superintendent, and the Planning Board. Khumalo reported that Staff is seeking confirmation from Town Counsel that the county roadways had been turned over to the Town in the past.

Mansur reported that research of the records and plans on file at the J.V. Fletcher Library first mention the road in a deed dated 1860. Mansur stated that a small portion of land would be deeded to Mr. and Mrs. Schurman for frontage directly along Tyngsborough Road. Mansur stated that the applicant would be willing to provide an easement for the existing drainage structure located approximately 150 ft. from the intersection of Groton Road and Tyngsborough Road.

Silva noted that the Planning Board has expressed concerns regarding the increase of development. Silva agreed with the Planning Board concerns.

Jefferies stated that he did not hear any compelling reason for abandoning the land. Jefferies was not in favor of further development and suggested that the land be used to wrap around the existing intersection and expand the right-of-way.

Healy-Coffin stated that she would rather see two less houses and fewer children going into the Westford school system.

Loiselle reiterated his request from the previous meeting regarding the value of giving up the road. Loiselle felt that the Town should be compensated.

This matter will be further discussed at a future meeting.

Hiring Freeze Waivers

Part-time Senior Assistant – Assessors Office – Paul Plouffe, Principal Assessor and Diane Holmes, Board of Assessors, were present. Plouffe requested lifting the hiring freeze for the existing position. **It was moved by Healy-Coffin, seconded by Silva, and VOTED 4 IN FAVOR WITH 1 OPPOSED (Loiselle), to lift the hiring freeze for the part-time Senior Assistant position in the Assessor's Office.** Loiselle stated that he was opposed to filling the position while the Town is in a budget crisis and looking at layoffs. Loiselle did not want to replace vacancies until he could see how the budget process was proceeding and would vote the same on the next request.

Operations Administrator – Highway Department – Jim Rand, Operations Administrator, was present seeking to lift the hiring freeze for the position of Operations Administrator that he will be vacating in June. Jefferies felt that this was a critical position particularly since it appears that the contractor for the new Highway garage is in trouble. Jefferies stated that part of the duties of this position is to oversee the garage construction. Jefferies noted that the estimated date of completion is November 9th but that it probably will not be completed until January 1st. Suzanne Marchand, Finance Director, reported that the Town Manager's budget recommends that two Highway workers be taken out of the budget because they are being funded through Workers Compensation. Marchand further reported that the Town Manager has recommended no additional layoffs in the Highway Department.

It was moved by Healy-Coffin, seconded by Jefferies for discussion, to replace the Operations Administrator in the Highway Department for 9 months and have the position reviewed after 9 months. Jefferies recommended review of the position after the completion of the Highway Garage. Silva questioned whether anyone would apply for a job with a 9 month time limitation. Khumalo pointed out that the position goes well beyond overseeing the garage construction and urged the Board to review the job description. Rand stated that he will be leaving in June and needed time with the new Operations Manager in order to have a smooth transition.

VOTE ON HEALY-COFFIN'S MOTION: 1 IN FAVOR (Healy-Coffin) and 4 OPPOSED (Romeo, Jefferies, Loiselle, Silva). The motion failed.

It was moved by Silva, seconded by Jefferies, and VOTED 3 IN FAVOR WITH 2 OPPOSED (Healy-Coffin, Loiselle), to lift the hiring freeze for the position of Operations Administrator in the Highway Department with no time limitation and review the position with the Highway Superintendent at a future time.

Licenses and Permits

Building Department Fee Schedule – Khumalo reported that the proposed fee schedule is based on a two phase study. Romeo was concerned with the effective date of March 1st noting the need to get the information out to the public. Paul Murray, Finance Officer for the American Legion Post 159, and representing American Legion Post 437 and the VFW, requested the Board grant a waiver of Building Department, Board of Health and liquor license fees for the three organizations. Murray stated that the groups are non-profit and revenues are very low. Healy-Coffin stated that the Board did not have the authority to waive liquor license fees and suggested taking each case on an individual basis. Jefferies pointed out that the Board also did not have the authority to waive Board of Health fees. Romeo asked Khumalo to get an opinion from Town Counsel regarding the Board's authority relative to waiving fees. To be discussed at a future meeting. **It was moved by Jefferies, seconded by Loiselle, and VOTED UNANIMOUSLY, to approve the fee schedule from the Building Department.**

Request for Use of Town Common, First Parish Church United – Easter Service, 7:00 AM, April 11, 2004 – It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve.

Strawberries 'N Arts Festival – June 19, 2004 10:00 AM-4:00 PM - It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve.

Banner Request for Strawberry Festival - It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve.

Appointment of Election Officers – It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to appoint Cynthia Conry, Frances T. Forest, Rita M. Gagne, Victoria Geary, Barry M. Real, Sarah B. Reynolds, and Marshall-Ben B. Tisdale, as election officers per the amended list from the Town Clerk.

Joint Boards Meeting with the Selectmen, Finance Committee and School Committee

Members of the School Committee, Steve Foster-School Superintendent, Bill Olsson-Assistant School Superintendent, Suzanne Marchand-Finance Director and members of the Finance Committee, were present. Marchand outlined the Town Manager's recommended balanced budget, without an override, per the town charter. The Town Manager's budget had cuts of 2.98% on the Town side and cuts of 2.05% on the school side. Marchand made a presentation of the Town of Westford Budget Analysis – Estimated Override Tax Impact FY05-FY09.

Jefferies suggested that instead of taking capital items out of the operating budget, some of those items could be bonded. Marchand warned that if the Town bonds items year after year it compounds the debt. Marchand stated that she would look at the bondable items.

Foster made a presentation of The Budget Overview and History, Budget, Percent, Difference. Foster's budget was a 3.2% increase over the operating budget for FY04 at \$38,924,596. The School Committee's recommended budget was \$36,619,137 and the Leadership Team's recommended budget was \$38,065,786. Foster presented a List of Cuts, Items in the School Committee Budget FY05 In Need of Funding; and Fees Considering Charging.

Healy-Coffin stated that an override will not pass at this time given the tough economic times. Healy-Coffin stated that the Town needs to listen to the residents.

Romeo asked Marchand to provide a history of what the School budget has been in the past relative to increases. Romeo also requested additional information regarding what personnel are slated to be laid off.

Jefferies asked that the School list of cuts be prioritized and information be provided regarding lay offs.

Liz Adams, Chairman of the Finance Committee, stated that the Town needs to look at limiting the rate of growth. The next meeting of the Finance Committee will be held on Thursday, February 26, 2004, J.V. Fletcher Library, to begin deliberations on the Board of Health, Fire and Highway Departments budgets.

The Boards will meet again for continued budget discussions.

Correspondence

2.9 Memo from Roudenbush Community Center re: Proposed Before and After School Care Program K-5. Khumalo to provide a copy of the report to the Board.

2.10 Memo from Nashoba Valley Technical School District Westford Moderator re: District School Appointment. Romeo suggested making the appointment during the next joint meeting with the Selectmen and School Committee, including the Town Moderator.

2.14 Memo from Nashoba Valley Technical School District re: Status of District's School Budget. To be discussed at a future meeting.

Old Business/New Business

Woolsack Estates Petition – Romeo referenced a petition signed by residents in the Woolsack Estates, Beaver Dam Drive area regarding the water and icing problems. Khumalo reported that the Planning Board is currently reviewing this situation with the Town Engineer, Highway Superintendent and Town Planner. Khumalo will provide a status report to the Board for the next meeting. Jefferies suggested back charging the developer for the costs to deal with the water issue. Jefferies did not want to see any more development in Woolsack Estates until this situation is resolved.

Keyes Corner Condominium LIP Project – Khumalo reported that the Zoning Board of Appeals is nearing the end of the review process. There may be a consideration of reducing the number of units from 36 to 32. Refinements have been made to the design of the buildings.

Open Items

- 2/24-1 Khumalo to get opinion from Town Counsel re: Board's authority to waive fees.
- 2/24-2 Khumalo to provide copy of report to Board re: Roudenbush proposed before and after school care program (corr. 2.9).
- 2/24-3 Board to make appointment for Nashoba at next joint meeting between the BOS, School Committee, and Town Moderator.
- 2/24-4 Board to discuss at future meeting status of budget for Nashoba.
- 2/24-5 Khumalo to provide status report of Woolsack Estates water/icing situation.

ADJOURNMENT

It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to adjourn the meeting at 10:30 p.m.

Steve Ledoux, Town Manager

Christopher Romeo, Chairman

